

**5765. Adulteration of tomato pulp. U. S. * * * v. 260 Cases * * * of
* * * Tomato Pulp. Default decree of condemnation, forfeiture,
and destruction. (F. & D. No. 8134. I. S. No. 11369-m. S. No. C-662.)**

On or about March 1, 1917, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 260 cases of tomato pulp, consigned on or about September 9, 1916, November 7, 1916, November 21, 1916, November 27, 1916, and December 7, 1916, by the Rider Packing Co., Crothersville, Ind., remaining unsold in the original unbroken packages at Louisville, Ky., alleging that the article had been shipped and transported from the State of Indiana into the State of Kentucky, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Rider's Class A Brand Tomato Pulp made from Tomatoes, Pieces of Tomatoes and Tomato Trimmings."

Adulteration of the article was alleged in the libel for the reason that it contained, and in part consisted of, a partially decomposed vegetable substance.

On April 2, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*